

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Timothy J. Ley, Brian J. Brown
Application No.: 10/055307
Filed: January 23, 2002
For: Multi-Layer Stent
Examiner: Vi X. Nguyen
Group Art Unit: 3731

Mail Stop Appeal Brief-Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Docket No.: S63.2B-8618-US01

TRANSMITTAL LETTER

1. In regard to the above-identified application, in addition to this 1 page transmittal letter, we are submitting the attached:
1 page Petition for an Extension of Time Under 37 CFR §1.136; 11 page Brief on Appeal in triplicate; \$500.00 check; \$120.00 check and Postcard.
2. With respect to fees:
 - ☐ No additional fee is required.
 - ☒ Attached is check(s) in the amount of \$500.00 and \$120.00
 - ☐ Charge additional fee to our Deposit Account No. 22-0350.
3. **CONDITIONAL PETITION FOR EXTENSION OF TIME**
This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.
4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: August 16, 2005

By: _____

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Certificate Under 37 CFR 1.8: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as FIRST CLASS MAIL, addressed to Mail Stop Appeal Brief-Patents, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450, on August 16, 2005.

Rebecca M. Painschab
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